



CrI.O.P.No.10047 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2024

CORAM

THE HONOURABLE Dr.JUSTICE G.JAYACHANDRAN

CrI.O.P. No.10047 of 2024

R.Senthil Kumar

...

Petitioner

/vs/

R.Vaithiyanathan

... Respondent

Criminal Original Petition is filed under Section 482 Cr.P.C, to allow this Criminal Original Petition against in C.M.P.No.381 of 2024 in S.T.C.No.178 of 2022 and allowed to cross examination of P.W.1 pending before the Judicial Magistrate, Fast Track Court (Magistrate Level) at Poonamallee.

For Petitioner ... Mr.V.Maharajan



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ORDER

The dismissal of petition filed under Section 311 Cr.P.C. to cross examine witness, is challenged before this Court by way of filing this Criminal Original Petition.

2. The learned counsel for the petitioner reading the impugned order of the learned Judicial Magistrate, Fast Track Court, Poonamallee, contended that the valuable right of the petitioner to cross-examine the witness has been taken away by the impugned order.

3. On perusing the petition and the affidavit filed in support of the petition, this Court finds that the petition does not disclose which witness has to be recalled and why he should be recalled. Therefore, *de ors* of the reasons stated by the Court below for dismissing the petition to cross-examine the witness under Section 311 Cr.P.C, the present petition is liable to be dismissed and the order passed by the learned Judicial Magistrate, Fast Track Court at Poonamallee in C.M.P.No.381 of 2024 in S.T.C.No.178 of 2022 dated 02.02.2024, is hereby confirmed.



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WEB COPY 4. Accordingly, this Criminal Original Petition is dismissed.

25.04.2024

Index: Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes / No

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G.JAYACHANDRAN, J.,

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To:

The Judicial Magistrate,

Fast Track Court (Magistrate Level)

Poonamallee.

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